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CHARLES R. SPIES

EMAIL ADDRESS

June 5, 2009

VIA HAND DELIVERY

Jeff S. Jordan, Esq.
Supervisory Attorney
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Rec'd
JUN 09 2009
12:38pm

Re: MUR 6190 / Respondent Rosemary Byrne

Dear Mr. Jordan:

On behalf of Rosemary Byrne ("Mrs. Byrne"), this letter is submitted in response to the complaint filed by her estranged son-in-law David Bearden ("Complainant"), alleging violations of the Federal Election Campaign Act (the "Act") by certain members of the Byrne family, and now labeled MUR 6190. With regards to the inclusion of Mrs. Byrne as a Respondent, the Complaint does not even attempt to allege a violation of the Act by Mrs. Byrne and should be dismissed.

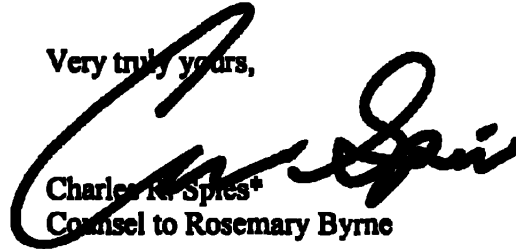
The Commission may find "Reason to Believe" only if a compliant sets forth sufficient specific facts which, if proven true, would constitute a violation of the Act. See 11 C.F.R. § 111.4 (a)(d). Here, the Complaint filed does not list Mrs. Byrne as a Respondent, and the only reference at all to Mrs. Byrne is the assertion on Page 2, #4 of the Complaint that, "On or around June 2008 Kelly Bearden stated to me that she made contributions to the McCain campaign at her father Norman Byrne's request because he and his wife Rosemary Byrne had already reached the legal limit." Even if this assertion by Complainant were found to be factual, it does not assert any information that would constitute a violation of the Act by Mrs. Byrne.

The above noted reference to Mrs. Byrne is the only mention of her in the Complaint, and no evidence is presented that Mrs. Byrne otherwise violated any Statute or Commission Regulation. Consequently, because the Complainant alleges no conduct by Mrs. Byrne that, if true, would violate a statute or regulation over which the Commission has jurisdiction, Mrs. Byrne should be dismissed as a Respondent in this MUR.

Jeff S. Jordan, Esq.
June 5, 2009
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For the foregoing reasons, Mrs. Byrne respectfully requests that the Commission dismiss her as a Respondent to this Complaint and take no further action. Thank you for your consideration in this matter.

Very truly yours,



Charles R. Spies*
Counsel to Rosemary Byrne

*Admitted only in Virginia
Supervision by Stefan Passantino
a member of the DC Bar.

Enclosure: Designation of Counsel

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**BEFORE THE FEDERAL ELECTION COMMISSION
STATEMENT OF DESIGNATION OF COUNSEL**

MUR # 6190

Name of Counsel: Charles R. Spies
McKenna Long & Aldridge LLP
1900 K Street, NW
Washington, DC 20006

Telephone: _____
Fax: (202) 496-7756

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

5/26/09
Date

Rosemary Byrne
Respondent/Client Signature

Title

Respondent/Client: Ms. Rosemary Byrne
Ada, MI 49301

Telephone - Home:

Business:

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

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